



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, OCTOBER 2, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Roll Call

Invocation

Pledge of Allegiance to the Flag

Proclamation of "ANGELS ON WHEELS ROAD TO RECOVERY PROGRAM DAY" - Councilmember Quintero

Presentation of Plaques by United Way of Fresno County to Specific Employees Within the City Organization

Proclamation of "CIVIL WAR REVISITED WEEKEND"

Proclamation of "DIABETES AWARENESS DAY" - Council President Perea

Approve Redevelopment Agency minutes of September 25, 2001

Action Taken:

- A. Consideration of a Program Final Environmental Impact Report (EIR) No. 2000-01, for the Convention Center Redevelopment Project Area - downtown prestige mixed use development within the Mariposa and Convention Center Redevelopment Project Areas

Action Taken:

1. **RESOLUTION** - Certifying Program Final Environmental Impact Report (EIR) No. 2000-01, with attachments (***Council and Agency action***)
 - a. Statement and findings of potential adverse environmental effects and mitigation
 - b. Statement and findings of unavoidable adverse effects
 - c. Findings on project alternatives
 - d. Statement of overriding considerations that the project benefits outweigh the unavoidable adverse effects
 - e. Mitigation monitoring checklist

Action Taken:

- B. Receive report and give direction to staff regarding the development of redevelopment project area(s) for the implementation of an inner City neighborhood revitalization program

Action Taken:

ADJOURN AGENCY

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve City Council minutes of September 25, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M.#1 HEARING to consider Plan Amendment Application No. A-01-10, Rezoning Application No. R-01-13, filed by Thanh Van Cao for 1.39 acres of property located on the east side of N. Cedar Avenue, south of E. McKinley Avenue and north of E. Floradora Avenue (*Property located in District 4*)

Action Taken:

- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-01-10, R-01-13
- b. **RESOLUTION** - Amending the Roosevelt Community Plan
- c. **BILL** - Amending the Official Zone Map to rezone property from the R-1 (Single-Family Residential) zone district to the C-6 (Heavy Commercial) zone district
(*Remove from agenda and refer back to staff for re-noticing Planning Commission and Council hearings*)

10:00 A.M.#2 Reiteration of Council budgetary action - Council President Perea

Action Taken:

10:00 A.M.#3 **RESOLUTION** - Establishing the criteria for use of Outside Agency Support Account for Community Services

Action Taken:

10:00 A.M.#4 * **RESOLUTION** - 24th amendment to AAR No. 2001-200 transferring \$32,500 of appropriations of District 5's general fund infrastructure budget special project account to the outside agency support account to fund various organizations - Councilmember Quintero (*Requires five affirmative votes*)

Action Taken:

10:15 A.M. **HEARING** to consider Plan Amendment Application No. A-01-18 and Rezoning Application No. R-01-24 filed by Seecon Partners for 3.04 acres of property located on the east side of N. Marty Avenue between W. Shaw Avenue and the Herndon Canal

Action Taken:

- a. Consider and adopt Negative Declaration for Environmental Assessment No. A-01-18, R-01-24, S-01-228
Action Taken:
- b. **RESOLUTION** - Amending the Bullard Community Plan
Action Taken:
- c. **BILL** - Amending the Official Zone Map to rezone property from the C-2/BA-20/cz (Community Commercial) to C-M/cz (Light Industrial) zone district
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. **HEARING** to consider Rezoning Application No. R-01-30 and related environmental findings filed by Triple B Development for 19.54 acres of property located on the east side of S. Cherry Avenue between E. North Avenue and E. Central Avenue

Action Taken:

- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. R-01-30

Action Taken:

- b. **BILL** - Amending the Official Zone Map to rezone from R-A/UGM (Residential Agricultural/Urban Growth Management) to M-3/UGM (Heavy Industrial/Urban Growth Management)

Action Taken:

11:00 A.M. **CONTINUED HEARING** regarding the formation of Community Facilities District No. 5 (Foundry Park) (*Continue to October 9, 2001 @ 11:00 a.m.*)

Action Taken:

11:15 A.M. Status report of the multi-purpose stadium project - Dept. of Public Works

- a. Accept the stadium project financial status report;
- b. Approve Construction Change Order No. 6 with Mauldin-Dorfmeier Construction Inc., in the amount of \$562,312; and
- c. Approve an amendment to the original agreement with HOK Sports, Inc., to provide for additional needed architectural services for the stadium project in the amount not to exceed \$411,000 and authorize the Acting Assistant City Manager to negotiate the final amendment and further utilization of the contingency not to exceed \$411,000

Action Taken:

2:00 P.M.#1 **CONTESTED CONSENT CALENDAR**

2:00 P.M.#2 **CLOSED SESSION**

- A. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -**
Government Code Section 54956.9, Subdivision (b)(1)

Significant Exposure of Litigation:

1. **Case Name:** Patriot Homes Fresno I and II v. City of Fresno

Action Taken:

- B. **CONFERENCE WITH LABOR NEGOTIATOR -** Government Code Section 54957.6

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Severo Esquivel

Employee Organization(s):

1. International Union of Operating Engineers, Stationary Engineers Local 39 (Local 39)
2. International Brotherhood of Electrical Workers Local 100 (IBEW)

Action Taken:

3:00 P.M. Housing and Urban Development (HUD) Workshop - Councilmember Boyajian

Action Taken:

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1A-1. DEPT. OF ADMINISTRATIVE SERVICES

1A-2. CITY ATTORNEY

1A-3. CITY CLERK'S OFFICE

1A-4. CITY COUNCIL/MAYOR'S OFFICE

- a. * **RESOLUTION** - 26th amendment to AAR No. 2001-200 transferring \$2,625 from the Mayor's Youth Services contingency to match contributions collected by the Edison Babe Ruth League - Mayor Autry
(Requires five affirmative votes)

Action Taken:

1A-5. CITY MANAGER

1A-6. CONVENTION CENTER

1A-7. DEVELOPMENT DEPARTMENT

1A-8. FIRE DEPARTMENT

1A-9. DEPARTMENT OF HOUSING AND NEIGHBORHOOD REVITALIZATION

1A-10 PARKS, RECREATION AND COMMUNITY SERVICES

1A-11 POLICE DEPARTMENT

- a. **RESOLUTION** - Forming an agreement between the City of Fresno and the State of California Commission on Peace Officer Standards and Training (P.O.S.T.) for the presentation of driving simulator and force option simulator training Fresno Police Department on behalf of P.O.S.T.

Action Taken:

1A-12 PUBLIC UTILITIES DEPARTMENT

1A-13 PUBLIC WORKS DEPARTMENT

1A-14 RETIREMENT OFFICE

1A-15 TRANSPORTATION DEPARTMENT

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

A. Report on the initiative entitled, "Covering All Bases, Touching All Lives" - Fire Department
Action Taken:

B. * **BILL NO. B-75 - (Intro. 9/25/2001)** - Amend Sections 2-1701, 2-1725, 2-1730, 2-1732, 2-1744, 2-1723A, 2-1725A, 2-1730A, 2-1732A, and 2-1744A of the Fresno Municipal Code relating to disability retirement benefits in the Fire and Police Retirement System

Action Taken:

1. * **BILL NO. B-76 - (Intro. 9/25/2001)** - Amend Sections 2-1801 and 2-1838 of the Fresno Municipal Code, relating to disability retirement benefits in the Employees Retirement System

Action Taken:

C. **RESOLUTION** - Submitting to City electors at the March 5, 2002 election, a proposal to amend the Charter regarding City procurement and competitive bidding - City Attorney's Office

Action Taken:

D. Ratification of responses of the 2000-2001 Grand Jury Report - City Manager

Action Taken:

E. Approve appointment of Lee Brand to the Planning Commission - Mayor Autry

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Oct. 9 - 9:30 A.M. Presentation by the City of Clovis regarding Quad Design intersection
- Oct. 9 - 10:00 A.M. **HEARING** re: vacation of E-99 alley, between Tulare & Kern, RI 1024-D
- Oct. 9 - 10:30 A.M. Award a contract for transloading, transportation and processing of wood and yard waste - Dept. Of Admin. Services/Purchasing
- Oct. 9 - 11:00 A.M. **CONTINUED HEARING** regarding the formation of Community Facilities District No. 5 (Foundry Park)
- Oct. 9 - 11:30 A.M. **HEARING** re: P.A. No. A-00-21, R-00-42, filed by McCaffrey Development
- Oct. 9 - 3:00 P.M. Jt. Presentation by SJVA Pollution Control District and COG re: potential sanctions due to severe air quality
- Oct. 16 - 9:00 A.M. Presentation of P.R.I.D.E. Team Certificates for Fall Quarter (*Reception immediately following, 2nd floor foyer*)
- Oct. 16 - 10:15 A.M. **HEARING** re: P.A. No. A-01-019 filed by Michael Paoli (on behalf of) State Center Community College District - Development Dept.
- Oct. 16 - 10:30 A.M. **HEARING** to adopt resolution designation the Hopkins Residence, located at 1458 E. Divisadero to Fresno's Local Official Register of Historic Resources (District 3)
- Oct. 16 - 5:30 P.M. Adoption of Bill No. B-68 regarding to Text Amendment No. TA-00-02 relating to group housing facilities
- Oct. 23 - (NOT A REGULAR MEETING) 1:00 P.M. - 5:00 P.M. - CEQA Workshop
- Oct. 30 - 10:00 A.M. Presentation of Employee Service Awards (*Reception immediately following, 2nd floor foyer*)
- Oct. 30 - 11:00 A.M. **HEARING** re: Annexation No. 30, Community Facilities District No. 2
- Oct. 30 - 11:15 A.M. **CONTINUED HEARING** re: C.U.P. C-01-058
- Oct. 30 - 5:30 P.M. **CONTINUED HEARING** to consider Text Amendment relating to auto sales
- NOV. 13 NO MEETING - VETERANS WEEK